

BILL NO. Z-87-05-30

ZONING MAP ORDINANCE NO. Z-

13-87

AN ORDINANCE amending the City of
Fort Wayne Zoning Map No. M-26.

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF
FORT WAYNE, INDIANA:

SECTION 1. That the area described as follows is
hereby designated a B-2-D (Regional Shopping Center)
District under the terms of Chapter 33 of the Code of the
City of Fort Wayne, Indiana of 1974:

Following is a Composite Legal Description of 12.68
Acres Conveyed to Lake County Trust Co. (Trust #3687)
per Document No. 86-55487, TOGETHER with Part of the
100 foot right-of-way of the former Fort Wayne, Jackson
& Saginaw Railroad now Conrail, conveyed to Lake County
Trust Co. (Trust #3687) per Document No. 86-55484 as
situated in the Northwest Quarter and the Northeast
Quarter of Section 26, Township 31 North, Range 12
East, in Allen County, Indiana, in particular described
as follows to-wit:

Commence at a concrete highway monument on the South
right-of-way line of U.S. Highway No. 30 (Coliseum
Blvd.), as situated 65 feet normally distant South of
Line "E" (Project 724 (21) 1966) at its intersection by
the East right-of-way line of the former Fort Wayne,
Jackson & Saginaw Railroad, now Conrail, as situated 50
feet East of the single track centerline, said East
right-of-way line being further defined as the West
line of Lot 16 in RAHDERT'S SUBDIVISION as recorded in
Plat Book 15, page 129; thence South on the line
aforesaid, a distance of 1231.8 feet to the Southwest
corner of said Lot 16 RAHDERT'S SUBDIVISION; thence
Westerly along the South line of said Lot 16 produced
West, a distance of 18 feet to the West line of the
Northeast Quarter of said Section 26 as established in
Instrument of Appropriation from KOEPF to said
Railroad; thence Southerly along the West line of said
Quarter Section, a distance of 138.7 feet; thence
Westerly by a deflection right of 88 degrees 06
minutes, a distance of 81.23 feet to the West right-of-
way line of said Conrail; thence Westerly by a
deflection right of 1 degree 26 minutes along a line
parallel to and 0.6 feet normally distant North of a
concrete block building, a distance of 56.4 feet, to an
iron pipe found; thence South by a deflection left of
90 degrees 00 minutes (Deed) on a line parallel to and
3.0 feet normally distant West of said building, a
distance of 6.9 feet to a pin set; thence Southwesterly
by a deflection right of 83 degrees 02 minutes, a
distance of 4.5 feet to a pin found; thence
Southeasterly by a deflection left of 90 degrees 00
minutes (Deed), a distance of 9.0 feet to a pin found;

1 thence Southwesterly by a deflection right of 90
2 degrees 00 minutes (Deed), a distance 135.7 feet to a
3 pin set on the Easterly right-of-way line of State Road
4 No. 3 (Northrop Street) as established by Project No.
5 US 419 (14) 1963 and situated 35 feet normally distant
6 Eastward of said road centerline; thence Northwesterly
7 along said State Road No. 3 East 35 foot right-of-way
8 line by a deflection right of 66 degrees 59 minutes, a
9 distance of 590.3 feet Actual (590.84 right-of-way
10 grant) to a concrete highway monument; thence
11 Northeasterly by a deflection right of 62 degrees 44
12 minutes, a distance of 21.8 feet to a concrete highway
13 monument as situated 55 feet normally distant Eastward
14 of said road centerline; thence Northwesterly along
15 said 55 foot right-of-way line by a deflection left of
16 62 degrees 40 minutes, a distance of 236.5 feet to a
17 concrete monument and point of curve; thence continuing
18 Northwesterly along said right-of-way line introrsely
19 concentric to the 0 degree 40 minute centerline curve
20 to the right, a distance of 156.59 feet, the subtended
21 chord to the aforesaid course deflects to the right 0
22 degrees 27 minutes, a chord distance of 156.59 feet;
23 thence Northwesterly by a deflection left of 7 degrees
24 56 minutes , a distance of 26.9 feet to a concrete
25 highway monument; thence continuing Northwesterly along
26 said right-of-way line by a deflection right of 8
27 degrees 41 minutes, a distance of 237.4 feet (240.4
28 deed) to a pin set; thence Easterly by a deflection
29 right of 120 degrees 26 minutes, a distance of 832.0
30 feet to the West 50 foot right-of-way line of said
31 Conrail; thence continuing East along the last
32 described course produced, a distance of 87.5 feet to
33 the West line of the Northeast Quarter of said Section
34 26; thence North along the line aforesaid, a distance
35 of 329.0 feet to the South right-of-way line of said
36 U.S. Highway No. 30 projected West; thence East along
37 said projection, a distance of 10.5 feet to the place
38 of beginning containing 15.1008 Acres, more or less, of
39 land.

40 TOGETHER with the following:

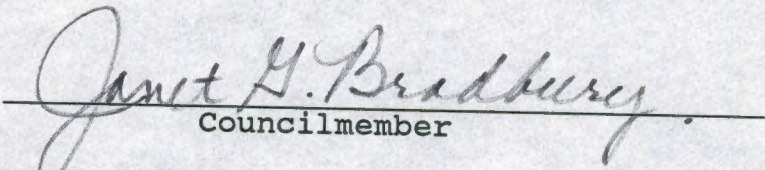
- 41 1. The North 127 feet of Lot 4 in FERNHILL PLACE
42 AMENDED ADDITION and the Vacated portion of
43 Rathert Lane lying North thereof.
- 44 2. The proposed Vacated 12' wide alley lying between
45 the North 127 feet of Lots 4 and 5 in FERNHILL
46 PLACE AMENDED ADDITION.
- 47 3. Lot 8 and the South 25 feet of Lot 5 in FERNHILL
48 PLACE AMENDED ADDITION.
- 49 4. Lots 11, 14 and 17 in FERNHILL PLACE AMENDED
50 ADDITION.
- 51 5. The proposed Vacated Duesing Avenue (50' wide)
52 lying East of Lots 8, 11, 14 and 17, and the South
53 25 feet of Lot 5, All in FERNHILL PLACE AMENDED
54 ADDITION.
- 55 6. Lot 19 in FERNHILL PLACE AMENDED ADDITION and the
56 vacated 12 foot alley lying East thereof.

1 Containing in ALL 2.948 Acres of Land.

2 and the symbols of the City of Fort Wayne Zoning Map No.

3 M-26, as established by Section 11 of Chapter 33 of the Code
4 of the City of Fort Wayne, Indiana are hereby changed
5 accordingly.

6 SECTION 2. That this Ordinance shall be in full force
7 and effect from and after its passage and approval by the
8 Mayor.

9 
Councilmember

10 APPROVED AS TO FORM AND LEGALITY:

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12 BRUCE O. BOXBERGER, CITY ATTORNEY
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Read the first time in full and on motion by Bradbury, seconded by Redd, and duly adopted, read the second time by title and referred to the Committee Regulations (and the City Plan Commission for recommendation) and Public Hearing to be held after due legal notice, at the Council Chambers, City-County Building, Fort Wayne, Indiana, on _____, the _____ day of _____, 19____, at _____ o'clock _____ M., E.S.

DATE: 5-26-87

Sandra E. Kennedy
SANDRA E. KENNEDY, CITY CLERK

Read the third time in full and on motion by Bradbury, seconded by Redd, and duly adopted, placed on its passage. PASSED (~~LOST~~) by the following vote:

	<u>AYES</u>	<u>NAYS</u>	<u>ABSTAINED</u>	<u>ABSENT</u>	<u>TO-WIT:</u>
<u>TOTAL VOTES</u>	<u>8</u>	<u> </u>	<u> </u>	<u>1</u>	<u> </u>
<u>BRADBURY</u>	<u>✓</u>	<u> </u>	<u> </u>	<u> </u>	<u> </u>
<u>BURNS</u>	<u>✓</u>	<u> </u>	<u> </u>	<u> </u>	<u> </u>
<u>EISBART</u>	<u>✓</u>	<u> </u>	<u> </u>	<u> </u>	<u> </u>
<u>GiaQUINTA</u>	<u>✓</u>	<u> </u>	<u> </u>	<u> </u>	<u> </u>
<u>HENRY</u>	<u> </u>	<u> </u>	<u> </u>	<u>✓</u>	<u> </u>
<u>REDD</u>	<u>✓</u>	<u> </u>	<u> </u>	<u> </u>	<u> </u>
<u>SCHMIDT</u>	<u>✓</u>	<u> </u>	<u> </u>	<u> </u>	<u> </u>
<u>STIER</u>	<u>✓</u>	<u> </u>	<u> </u>	<u> </u>	<u> </u>
<u>TALARICO</u>	<u>✓</u>	<u> </u>	<u> </u>	<u> </u>	<u> </u>

DATE: 7-14-87

Sandra E. Kennedy
SANDRA E. KENNEDY, CITY CLERK

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as (~~ANNEXATION~~) (~~APPROPRIATION~~) (~~GENERAL~~)

(~~SPECIAL~~) (~~ZONING MAP~~) ORDINANCE (~~RESOLUTION~~) NO. 3-13-87

on the 14th day of July, 1987.

ATTEST:

(SEAL)

Sandra E. Kennedy
SANDRA E. KENNEDY, CITY CLERK

Mark E. GiaQuinta
PRESIDING OFFICER

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 15th day of July, 1987, at the hour of 11:30 o'clock A M., E.S.T.

Sandra E. Kennedy
SANDRA E. KENNEDY, CITY CLERK

Approved and signed by me this 16th day of July, 1987, at the hour of 900 o'clock A M., E.S.T.

Win Moses, Jr.
WIN MOSES, JR., MAYOR

ORIGINAL
COUNCILMANIC DISTRICT No. _____

DIGEST SHEET

Admn. Appr. _____

ORIGINAL

Zoning Ordinance Amendment

TITLE OF ORDINANCE _____

DEPARTMENT REQUESTING ORDINANCE _____

Land Use Management - CD&P

SYNOPSIS OF ORDINANCE _____

4020 Northrup Street

3-87-25-30

EFFECT OF PASSAGE _____

Property is presently zoned M-2 - General Industrial.

Property will become B-2-D - Regional Shopping Center District.

EFFECT OF NON-PASSAGE _____

Property will remain M-2 - General Industrial.

MONEY INVOLVED (Direct Costs, Expenditures, Savings) _____

(ASSIGN TO COMMITTEE (J.N.) _____)

Division of Community Development & Planning

BILL NUMBER

BRIEF TITLE

Zoning Ordinance Amendment

APPROVAL DEADLINE

REASON

From M-2 to B-2-D

DETAILS

Specific Location and/or Address

4020 Northrop Street

Reason for Project

Expansion of Glenbrook Mall. Two new buildings with a total square footage of 271,671 square feet.

Discussion (Including relationship to other Council actions)

18 May 1987 - Public Hearing

The minutes from the public hearing are attached.

1 June 1987 - Business Meeting

Motion was made to return the ordinance to the Common Council with a DO PASS recommendation.

Of the 8 members present 7 voted in favor of the motion, one (1) did not vote.

Motion carried.

NOTE: Any conditions or requirements regarding this project would be placed on the development plan and not on the rezoning. Those requirements would have to be satisfied prior to the development plan being approved.

POSITIONS

RECOMMENDATIONS

Sponsor

City Plan Commission

Area Affected

City Wide

Other Areas

Applicants/ Proponents

Applicant(s)

Lake County Trust Company
City Department

Other

Opponents

Groups or Individuals

Basis of Opposition

Staff Recommendation

☒ For ☐ Against

Reason Against

Board or Commission Recommendation

By

☒ For ☐ Against

☐ No Action Taken

☐ For with revisions to condition
(See Details column for condition)

CITY COUNCIL ACTIONS (For Council use only)

☐ Pass ☐ Other

☐ Pass (as amended) ☐ Hold

☐ Council Sub. ☐ Do not pass

DETAILS

POLICY/PROGRAM IMPACT

Policy or
Program
Change

☐

No

☐

Yes

Operational
Impact
Assessment

(This space for further discussion)

Project Start

Date 15 April 1987

Projected Completion or Occupancy

Date 15 June 1987

Fact Sheet Prepared by

Patricia Biancaniello

Date

15 June 1987

Reviewed by

Gary Butts

Date

6/15/87

Reference or Case Number

be 1-story in height. He stated that they are proposing to add 1,399 new parking spaces which will bring the total spaces to 7,891. He stated that this is a ratio of 5.97 parking space for each 1,000 sq ft of gross leasable area in the center, well above current industry standards. He stated in addition they also propose to do some remodeling to approximately 17,000 sq ft in the existing center at the northeast entrance. He stated that the purpose of the modernization is to give some architectural features to the existing center, to the outside of the mall, and help tie the design to the new space. Mr. Hoover displayed renderings of the proposed remodeling to the Commission. He stated that they have a traffic study that was prepared by Barton Ashman Associates, Inc. He stated that in addition to the zoning and regulatory requirements this study was obtained to satisfy Indiana Department of Highway Warrant Study Requirements for a new traffic light on Northrop Street. He stated as a result of the study their engineers recommendation and numerous consultations with the City Traffic and Street Engineering Departments it was concluded that the existing road signals and means of access are adequate to handle the proposed development with the following changes. He stated they propose the main entrance for the new area to be from Northrop Street at approximately the middle of the property. He stated a traffic signal will be installed at that area, which signal will be tied into the signal at Northrop and Coliseum to the north, and Northrop and Fernhill to the south. He stated that there will be a left turn lane out of the property at this location and a left turn lane into the property and Northrop Street will be widened in order to provide the proper accel and decel lanes. He stated that the location of the drive at that area permits proper stacking going into the left turn lane into the property and gives adequate room for people coming up and making a left turn at Northrop and Coliseum for proper stacking for a left turn at that signal. He stated that they have agreed to a right out only exit at the very south end of the property. He stated that they have agreed to design the exit so that the median to the south will be extended and this will prevent people from making left turn onto Northrop. He stated that the purpose of this exit is to provide an exit drive for service vehicles that will serve the rear of the southerly portion of the tenant space. He stated that they have discussed with the various departments other exits into the site from Northrop and rather than to propose another entrance or exit they have agreed to use an existing service drive which is already in existence at the very north boundary line of the property. He stated that this drive services certain commercial properties that are located to the north and front on Coliseum. He stated that they have arranged with the owners of

Robert Hoover, attorney for Landau and Hindman Inc., which is the developer and manager of Glenbrook Shopping Centers stated the street and alley they are proposing to vacate are in the middle of the area they were presenting for a rezoning and the amendment to a development site plan for Glenbrook Commons and requested that they all be taken together. Mr. Hoover stated that they have acquired approximately 15 acres joining and to the west of the existing shopping center. He stated that the property is currently zoned M-2. He stated that from time to time Glenbrook has acquired certain lots in Fernhill Amended Addition which adjoin the southeasterly boundary of the center. He stated that they are proposing to add to the shopping center these odd lots as well as the 15 acres where Fort Wayne Structural Steel sets making it an addition of approximately 18 acres. He stated that the present property is approximately 124 acres which is presently zoned B2D, a Regional Shopping Center Classification. He stated that while the M-2 District would permit commercial development after consultation with the plan commission staff and because of the substantial integration of the proposed new development with the existing, it was determined to rezone the balance of the property to B2D and to amend the existing development site plan for Glenbrook. He stated that a commercial use such as they are proposing is the best and most desirable use of the property and meets with the objectives of the City's Comprehensive Plan. He stated that although there are some scattered residences in the area most all of the surrounding area is used for commercial purposes and the existing shopping center is the focal point of that activity. He stated that they propose to construct approximately 273,000 sq ft of new tenant space. He stated that they will have 4 anchor stores and all new space will

the two properties that are nearest Northrop Street to give them easements over the private drive. He stated that they have also agreed to improve the drive to the extent required and they will bare all maintenance costs. He stated that they have agreed to extend the unmountable median along Northrop so that people coming out of the drive cannot make a left turn either onto Northrop Street or to Wells Street, everyone will be forced right to go to the corner of Coliseum and Northrop. He stated they have agreed to fence and gate the access at Mobile Avenue. He stated there is an I&M substation to the south of the property and immediately to the east of the substation they have granted I&M easement for the sole purpose of access rights to Mobile Avenue. He stated that I&M requires that they have direct access from public streets to their substations. He stated they intend to gate Mobile Avenue so that neither service vehicles or customers can use the street. He stated the new development will have access to all of the existing accesses. He stated that they will need to relocate the retention basin which is currently on the site. He stated that it is currently located where they intend to put parking it will be moved down to the south of the property. He stated they will do what is necessary in order to relocate the basin with regard to vacating and relocating easements. He stated they are trying to also satisfy all landscaping requirements. He stated they will conform to the new sign code requirements. He stated that when ever they acquired property on either side of a street or an alley it has been the practice of the center to vacate that right-of-way. He stated that the petition to vacate the portion of Dusing and a portion of alley being heard that evening falls within the area that would be designated as the new detention pond. He stated that the alley and street are not being used for any ingress or egress. He stated if there are any utilities in the street or alley they have agreed to relocate them at their expense.

Janet Bradbury questioned since there is already commercial and industrial development in this area if they saw any problem with regard to public safety.

Mr. Hoover stated they did not feel there would be any problem.

Janet Bradbury questioned since the developers used a private group to do the traffic study if the city had done their own traffic study.

V.C. Seth stated that it was his understanding that the City does not do its own traffic study that they use the consultants traffic study and compare it with their own figures.

Minutes
18 May 1987

5

Herman Friedrich questioned if the new parking spaces would be adequate.

V.C. Seth stated that they would be more than adequate.

Steve Smith stated that it was his understanding then that the light at Northrop and Fernhill will remain and that another one will be added at the main entrance of the new development.

Mr. Hoover stated that is correct and that those two lights along with the lights at Coliseum Bl will be coordinated.

There was no one present who wished to speak in favor of or in opposition to the proposed vacation, rezoning or primary development plan.

PETITION FOR ZONING ORDINANCE AMENDMENT

RECEIPT NO.

DATE FILED

INTENDED USE

THIS IS TO BE FILED IN DUPLICATE

LAKE COUNTY TRUST COMPANY, not individually, but in its capacity as Trustee under a Trust Agreement dated December 16, 1968, and known as Trust No. 1471; I/We and in its capacity as Trustee under a Trust Agreement dated December 15, 1986, and known as Trust No. 3687 (Applicant's Name or Names)

do hereby petition your Honorable Body to amend the Zoning Map of Fort Wayne Indiana, by reclassifying from a/an M-2 District to a/an B-2D (Regional District the property described as follows: Shopping Center)

The full legal description of the property is attached hereto as Exhibit "A". containing a description of the former Fort Wayne Structural Steel tract ("A-1") and a description of the Fernhill Place Amended Addition lots and proposed vacated streets and alleys ("A-2"). The property adjoins a 124.84 acre tract which is currently zoned B-2D and which is used as a Regional Shopping Center under the approved development site plan for Glenbrook Square Shopping Center. The legal description of the existing shopping center is attached hereto for information purposes as Exhibit "B".

(Legal Description) If additional space is needed, use reverse side.

ADDRESS OF PROPERTY IS TO BE INCLUDED:

4020 Northrop

Fort Wayne, Indiana 46805

(General Description for Planning Staff Use Only)

The undersigned, certifies that it is the owner(s) of fifty-one percentum (51%) or more of the property described in this petition.

LAKE COUNTY TRUST COMPANY, not individually, but in its capacity as Trustee under a Trust Agreement dated December 16, 1968, and known as Trust No. 1471, by Landau and

Heyman, Inc., its duly authorized agent.

150 North Wacker Drive
Suite 900
Chicago, Illinois 60606

BY: Jay S. Heyman
ITS: President

** (SEE REVERSE SIDE)

(Name)

(Address)

(Signature)

(If additional space is needed, use reverse side.)

Legal Description checked by (OFFICE USE ONLY)

NOTE FOLLOWING RULES

All requests for deferrals, continuances, withdrawals, or request that the ordinance be taken under advisement shall be filed in writing and be submitted to the City Plan Commission prior to the legal notice pertaining to the ordinance being sent to the newspaper for legal publication. If the request for deferral, continuance or request that ordinances be taken under advisement is received prior to the publication of the legal ad being published the head of the Plan Commission staff shall not put the matter on the agenda for the meeting at which it was to be considered. The Plan Commission staff will not accept request from petitioners for deferrals, continuances, withdrawals, or requests that an ordinance be taken under advisement, after the legal notice of said ordinance is forwarded to the newspaper for legal publication but shall schedule the matter for hearing before the City Plan Commission. (FILING FEE \$50.00)

Name and address of the preparer, attorney or agent.

Robert T. Hoover

(Name)

2400 Fort Wayne National Bank Bldg.
Fort Wayne, Indiana 46802

(Address & Zip Code)

424-8000

(Telephone Number)

COMMUNITY DEVELOPMENT AND PLANNING / Division of Long Range Planning & Zoning and (CITY PLAN COMMISSION) / Room #830, City-County Building, One Main Street Fort Wayne, IN 46802 (PHONE: 219/427-1140).

Applicants, Property owners and preparer shall be notified of the Public Hearing approximately ten (10) days prior to the meeting.

*Attached hereto as Exhibit "C", Petitioner submits the document numbers of deeds of conveyance for the property which is the subject of this Petition. Petitioner further attaches hereto as Exhibit "D" the site plan for the property to be rezoned. Petitioner further attaches hereto as Exhibit "E" a traffic study prepared by Barton-Aschman Associates, Inc.

Legal Description of property to be rezoned.

Owners of Property

(Name)	(Address)	(Signature)

NOTE: All checks are to be made payable to: CITY OF FORT WAYNE

This form is to be filed in duplicate.

NOTICE:
FILING OF THIS APPLICATION GRANTS THE CITY OF FORT WAYNE PERMISSION TO POST
"OFFICIAL NOTICE" ON THE PETITIONED PROPERTY.

FAILURE TO POST, OR TO MAINTAIN POSTING CAN PREVENT THE PUBLIC HEARING
FROM BEING HELD.

(CONTINUED FROM PAGE 1)

** LAKE COUNTY TRUST COMPANY, not individually, but in its capacity as Trustee under a Trust Agreement dated December 15, 1986, and known as Trust No. 3687, by Landau and Heyman, Inc., its duly authorized agent.	150 North Wacker Drive Suite 900 Chicago, Illinois 60606	BY: <u>Jay S. Heyman</u> Jay S. Heyman ITS: President
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OFFICE OF **HOFER AND DAVIS, INC.**

A. K. HOFER P.E. No. 72
(1988) L.S. No. 10604

CARL A. HOFER P.E. No. 7122
L.S. No. 10031

CIVIL ENGINEERS & LAND SURVEYORS
FORT WAYNE, INDIANA

WILLIAM S. DAVIS L.S. No. 9-5883
L.S. No. 18114 Michigan

This document is the record of a resurvey of land and real estate situated in the City of Fort Wayne, Allen County, Indiana, made in accordance with the plat and deed record thereof on file in the Office of Recorder of said County and State. The land below described exists in full dimension as herein noted in feet, and is free from encroachments by adjoining landowners, and furthermore, contains entirely within its boundaries the structures of the buildings on it situated, all as below indicated in detail. Any exceptions or discrepancies are below noted.

DESCRIPTION OF PROPERTY Lot No. LEGAL DESCRIPTION ONLY

"A-1" (FORT WAYNE STRUCTURAL STEEL TRACT)

Following is a Composite Legal Description of 12.68 Acres conveyed to Lake County Trust Co. (Trust #3687) per Document No. 86-55487, TOGETHER with Part of the 100 foot right-of-way of the former Fort Wayne, Jackson & Saginaw Railroad now Conrail, conveyed to Lake County Trust Co. (Trust #3687) per Document No. 86-55484 as situated in the Northwest Quarter and the Northeast Quarter of Section 26, Township 31 North, Range 12 East, in Allen County, Indiana, in particular described as follows to-wit:

Commence at a concrete highway monument on the South right-of-way line of U. S. Highway No. 30 (Coliseum Blvd.), as situated 65 feet normally distant South of Line "E" (Project 724 (21) 1966) at its intersection by the East right-of-way line of the former Fort Wayne, Jackson & Saginaw Railroad, now Conrail, as situated 50 feet East of the single track centerline, said East right-of-way line being further defined as the West line of Lot 16 in RAHDERT'S SUBDIVISION as recorded in Plat Book 15, page 129; thence South on the line aforesaid, a distance of 1231.8 feet to the Southwest corner of said Lot 16 RAHDERT'S SUBDIVISION; thence Westerly along the South line of said Lot 16 produced West, a distance of 18 feet to the West line of the Northeast Quarter of said Section 26 as established in Instrument of Appropriation from KOEPF to said Railroad; thence Southerly along the West line of said Quarter Section, a distance of 138.7 feet; thence Westerly by a deflection right of 88 degrees 06 minutes, a distance of 81.23 feet to the West right-of-way line of said Conrail; thence Westerly by a deflection right of 1 degree 26 minutes along a line parallel to and 0.6 feet normally distant North of a concrete block building, a distance of 56.4 feet, to an iron pipe found; thence South by a deflection left of 90 degrees 00 minutes (Deed) on a line parallel to and 3.0 feet normally distant West of said building, a distance of 6.9 feet to a pin set; thence Southwesterly by a deflection right of 83 degrees 02 minutes, a distance of 4.5 feet to a pin found; thence Southeasterly by a deflection left of 90 degrees 00 minutes (Deed), a distance of 9.0 feet to a pin found; thence Southwesterly by a deflection right of 90 degrees 00 minutes (Deed), a distance of 135.7 feet to a pin set on the Easterly right-of-way line of State Road No. 3 (Northrop Street) as established by Project No. US 419 (14) 1963 and situated 35 feet normally distant Eastward of said road centerline; thence Northwesterly along said State Road No. 3 East 35 foot right-of-way line by a deflection right of 66 degrees 59 minutes, a distance of 590.3 feet Actual (590.84 right-of-way grant) to a concrete highway monument; thence North-easterly by a deflection right of 62 degrees 44 minutes, a distance of 21.8 feet to a concrete highway monument as situated 55 feet normally distant Eastward of said road centerline; thence Northwesterly along said 55 foot right-of-way line by a deflection left of 62 degrees 40 minutes, a distance of 236.5 feet to a concrete monument and point of curve; thence continuing Northwesterly along said right-of-way line introrsely concentric to the 0 degree 40 minute centerline curve to the right, a distance of 156.59 feet, the subtended chord to the aforesaid course deflects to the right 0 degrees 27 minutes, a chord distance of 156.59 feet; thence Northwest-erly by a deflection left of 7 degrees 56 minutes, a distance of 26.9 feet to a

concrete highway monument; thence continuing Northwesterly along said right-of-way line by a deflection right of 8 degrees 41 minutes, a distance of 237.4 feet (240.4 deed) to a pin set; thence Easterly by a deflection right of 120 degrees 26 minutes, a distance of 832.0 feet to the West 50 foot right-of-way line of said Conrail; thence continuing East along the last described course produced, a distance of 87.5 feet to the West line of the Northeast Quarter of said Section 26; thence North along the line aforesaid, a distance of 329.0 feet to the South right-of-way line of said U.S. Highway No. 30 projected West; thence East along said projection, a distance of 10.5 feet to the place of beginning containing 15.1008 Acres, more or less, of land.

"A-2" (FERNHILL PLACE AMENDED ADDITION TRACT)

TOGETHER with the following:

1. The North 127 feet of Lot 4 in FERNHILL PLACE AMENDED ADDITION and the Vacated portion of Rathert Lane lying North thereof.
2. The proposed Vacated ^{12' wide} alley lying between the North 127 feet of Lots 4 and 5 in FERNHILL PLACE AMENDED ADDITION.
3. Lot 8 and the South 25 feet of Lot 5 in FERNHILL PLACE AMENDED ADDITION.
4. Lots 11, 14 and 17 in FERNHILL PLACE AMENDED ADDITION.
5. The proposed Vacated Duesing Avenue (50' wide) lying East of Lots 8, 11, 14 and 17, and the South 25 feet of Lot 5, All in FERNHILL PLACE AMENDED ADDITION.
6. Lot 19 in FERNHILL PLACE AMENDED ADDITION and the Vacated 12 foot Alley lying East thereof.

Containing in ALL 2.948[±] Acres of land.

IN WITNESS WHEREOF, I place my hand and seal this 6th day of February 1987.

Wm S. Davis



OFFICE OF **HOFER AND DAVIS, INC.**

CIVIL ENGINEERS & LAND SURVEYORS
FORT WAYNE, INDIANA

A. K. HOFER P.E. No. 72
(1988) L.S. No. 10804

CARLA A. HOFER P.E. No. 7122
L.S. No. 10031

WILLIAM S. DAVIS L.S. No. 8-8085
L.S. No. 18114 Michigan

This document is the record of a resurvey of land and real estate situated in the City of Fort Wayne, Allen County, Indiana, made in accordance with the plat and deed record thereof on file in the Office of Recorder of said County and State. The land below described exists in full dimension as herein noted in feet, and is free from encroachments by adjoining landowners, and furthermore, contains entirely within its boundaries the structures of the buildings on it situated, all as below indicated in detail. Any exceptions or discrepancies are below noted.

DESCRIPTION OF PROPERTY Lot No. ENTIRE SHOPPING CENTER AREA

Legal Description Only

Parts of Lots 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, and 16 in RAHDERT'S SUBDIVISION; ALSO Lots 4 and 5 in FERNHILL PLACE ADDITION; ALSO Lots 6, 7, 12, 13, and 18, and the North 127 feet of Lot 5 all in FERNHILL PLACE AMENDED ADDITION.

TOGETHER with the Vacated Alley lying East of Lots 6, 7, 12, 13, and 18 in FERNHILL PLACE AMENDED ADDITION and that Part of Rathert Lane lying North of Lots 5 and 6, and the North 127 feet of Dusing Avenue all in said ADDITION; ALL situated in the Northeast Quarter of Section 26, Township 31 North, Range 12 East, in Allen County, Indiana in particular described as follows to-wit:

Commence at the Southwest corner of Lot 4 in FERNHILL PLACE ADDITION as recorded in Plat Book 6, page 30 in the Office of the Recorder of said County; thence Easterly along the South line of said Lot 4 and 5 in said ADDITION, being coincident with the North line of Fernhill Avenue, 50 feet wide, a distance of (506.0 feet Plat) 506.5 feet Actual to the Southeast corner of Lot 5 in said ADDITION; thence Southerly along the East line of said Lot 5 produced Southerly, being also coincident with the West line of Lots 1, 2, 3, and 4 in said RAHDERT'S SUBDIVISION, a distance of 514.1 feet to the Southwest corner of said Lot 1; thence Easterly along the South line of said Lot 1, a distance of 529.0 feet to the Southwest corner of an 11.31 Acre Tract conveyed by instrument recorded in Document No. 70-3594; thence continuing Easterly along the South line of said Lot 1, a distance of 665.9 feet to a point situated 60 feet radially distant Westward of the centerline of U. S. Highway No. 27; thence Northerly and introrsely concentric to the 5 degree 00 minutes centerline circular curve to the left, a distance of 381.5 feet, more or less, the subtended chord deflects to the left 80 degrees 07 minutes, a chord distance of 379.6 feet to a point of tangent as situated 60 feet normally distant Westward of said highway centerline and established by Quit-Claim deed recorded in Document No. 72-17438; thence Northerly along said tangent, a distance of 1679.1 feet to Plan Station 135+50 and situated 60 feet normally distant Westward of said highway centerline; thence continuing Northwesterly along said right-of-way line, a distance of 150.33 feet to Plan Station 137+00 and situated 70.0 feet normally distant Westward of said highway centerline; thence continuing Northerly along said right-of-way line, a distance of 420 feet to Plan Station 141+20 and situated 70 feet normally distant Westward of said highway centerline; thence Northwesterly along said right-of-way line, a distance of 46.8 feet to Plan Station 161+40 and situated 65 feet normally distant Southward of Line "E" (U. S. Highway No. 30 By-Pass) as established by the aforesaid Quit-Claim Deed recorded in Document No. 72-17438; thence Westerly along said right-of-way line and parallel to said Line "E", a distance of 37.54 feet to Plan Station 161+02.3 and a point of curve; thence continuing Westerly along said right-of-way line extrorsely concentric to the Line "E" 0 degree 13 minute circular curve to the right, a distance of 303.2 feet to Plan Station 159+00; thence continuing Westerly along said right-

IN WITNESS WHEREOF I place my hand and

6th day of FEB 1987

William S. Davis

of-way line, a distance of 200.78 feet to Plan Station 156+00 as situated 75 feet radially distant Southward of said Line "E"; thence Southwesterly along said right-of-way line, a distance of 54.0 feet to Plan Station 155+50 as situated 95 feet radially distant Southward of said Line "E"; thence continuing Westerly along said right-of-way line extrorsely concentric to the Line "E" 0 degree 13 minute circular curve to the right, a distance of 451.62 feet to Plan Station 151+00; thence continuing Westerly along said right-of-way line, a distance of 74.89 feet to Plan Station 150+25.4 and a point of tangent as situated 90 feet normally distant Southward of said Line "E"; thence continuing Westerly along said right-of-way line and parallel to said Line "E", a distance of 695.4 feet to Plan Station 143+30; thence Northwesterly along said right-of-way, a distance of 80.62 feet to Plan Station 142+50 as situated 80.0 feet normally distant Southward of Line "E"; thence continuing Westerly along said right-of-way line by a deflection left of 7 degrees 08 minutes, a distance of 250.0 feet to Plan Station 140+00 as situated 80.0 feet normally distant Southward of Line "E"; thence continuing Northwesterly along said right-of-way line by a deflection right of 5 degrees 43 minutes, a distance of 150.75 feet to Plan Station 138+50 as situated 65 feet normally distant Southward of Line "E"; thence continuing Westerly along said right-of-way line by a deflection left of 5 degrees 43 minutes, a distance of 228.69 feet to the East right-of-way line of the former Lake Shore and Michigan Southern Railroad now Conrail as situated 50.0 feet East of the single track centerline; thence Southerly along said railroad right-of-way line being also coincident with the West line of Lot 16 in said RAHDERT'S SUBDIVISION, a distance of 1230.6 feet to the Southwest corner of said Lot 16; thence Easterly along the South line of Lot 16 and 15, a distance of 421.3 feet; thence Southerly along the projection North of the West line of Lot 5 in FERNHILL PLACE AMENDED ADDITION, a distance of 23.1 feet (25 feet Plat) to the Northwest corner of said Lot 5; thence continuing Southerly along the West line of said Lot 5, a distance of 127.0 feet; thence Easterly along a line situated parallel to and 25 feet North of the South line of said Lot 5, a distance of 201.0 feet to the East line of Dusing Avenue; thence Southerly along the line aforesaid, a distance of 425.0 feet to the Southwest corner of Lot 18 in said ADDITION; thence Easterly along the South line of Lot 18 and its projection East, a distance of 174.0 feet to the West line of Lot 4 in FERNHILL PLACE ADDITION; thence Southerly along the line aforesaid, a distance of 287.0 feet to the Southwest corner of said Lot 4 FERNHILL PLACE ADDITION and the place of beginning, containing 124.84± Acres of land.

IN WITNESS WHEREOF, I place my hand and seal this 6th day of February 1987

Wm S. Dawn

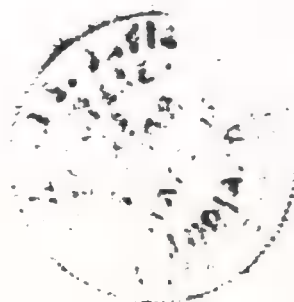


EXHIBIT "C"

LIST OF INSTRUMENT NUMBERS FOR DEEDS OF CONVEYANCE

A-1 FORT WAYNE STRUCTURAL STEEL TRACT

Document No. 86-55487

Document No. 86-55484

A-2 FERNHILL PLACE AMENDED ADDITION TRACT

Document No. 87-4875

Document No. 80-5676

Document No. 79-12832

Document No. 87-17480

Barton-Aschman Associates, Inc.

820 Davis Street Evanston, Illinois 60204

312-491-1000

MEMORANDUM TO: Lyle Shelor
Landau and Heyman, Inc.

FROM: Gerald Salzman
Stephen B. Corcoran
Barton-Aschman Associates, Inc.

DATE: March 4, 1987

SUBJECT: Site Traffic Analysis, Glenbrook Commons
Fort Wayne, Indiana

This memorandum summarizes the results of a site traffic analysis conducted for a proposed shopping center (Glenbrook Commons) located in Fort Wayne, Indiana. The site, located on the east side of Northrop Street between Coliseum Boulevard (U.S. 30) and Fernhill Drive, will contain 273,185 square feet of gross retail floor area.

The objectives of the site traffic analysis were to (1) evaluate the impact that the shopping center traffic would have on the area roadway system, (2) determine the roadway improvements necessary to provide an access system capable of assuring safe and efficient movement of traffic to and from the site, and (3) develop recommendations for improvements to the area roadway system necessary to accommodate traffic generated by the shopping center and through (nonsite) traffic movements.

The following studies and analyses were conducted in order to make a thorough evaluation of the traffic impact and access needs of the proposed office park:

1. Data Collection. A field investigation of existing roadway and traffic conditions in the vicinity of the site was completed and traffic counts were conducted at critical intersections near the site. Officials of the City of Fort Wayne and the Indiana Department of Transportation were contacted to identify any concerns they have about the development.
2. Directional Distribution Analysis. The directional distribution of traffic that would approach and depart the development was estimated, based on the anticipated origins and destinations of employees and patrons of the proposed shopping center. These estimates were based on the distribution of residences within the area of influence of the site, the location of other retail developments, and the relative efficiency of various streets and highways serving the site.
3. Traffic Generation Analysis. The peak-hour volumes that would be generated by the site were based on information published by the Institute of Transportation Engineers and data on similar developments collected by Barton-Aschman.



4. Traffic Assignment. Site-generated traffic was assigned to the external roadways serving the site, based on the location of anticipated access drives, the directional distribution, and traffic generation analyses. The site-generated traffic was combined with existing nonsite traffic volumes in order to analyze peak conditions at proposed site access drives and adjacent critical intersections.
5. Evaluation and Recommendations. Using the combined traffic demands, capacity analyses were conducted and roadway and traffic control improvement recommendations were developed for the proposed access system. The capacity analyses also provided a base for determining additional roadway and/or traffic control improvements necessary at critical intersections adjacent to the site.

Existing Site Access

The proposed site is located on the east side of Northrop Street between Coliseum Boulevard (U.S. 30) and Fernhill Drive in Fort Wayne, Indiana. The area surrounding the site is primarily characterized by retail development, with some industrial and residential land-uses.

The roadway system securing the site is discussed below and illustrated in Figure 1.

Coliseum Boulevard (U.S. Route 30) is a major east-west arterial roadway in Fort Wayne. Near the site, it is a six-lane roadway with single left-turn lanes at Northrop Street. The intersection of Northrop Street and Coliseum Boulevard is signalized.

Northrop Street is a four-lane divided north-south major arterial roadway divided by a median four feet in width. At its signalized intersection with Fernhill Drive, single left-turn lanes are provided. At Coliseum Boulevard the south approach of Northrop Street has a single left-turn lane and three through lanes. The north approach has dual left-turn lanes, two through lanes, and a right-turn lane.

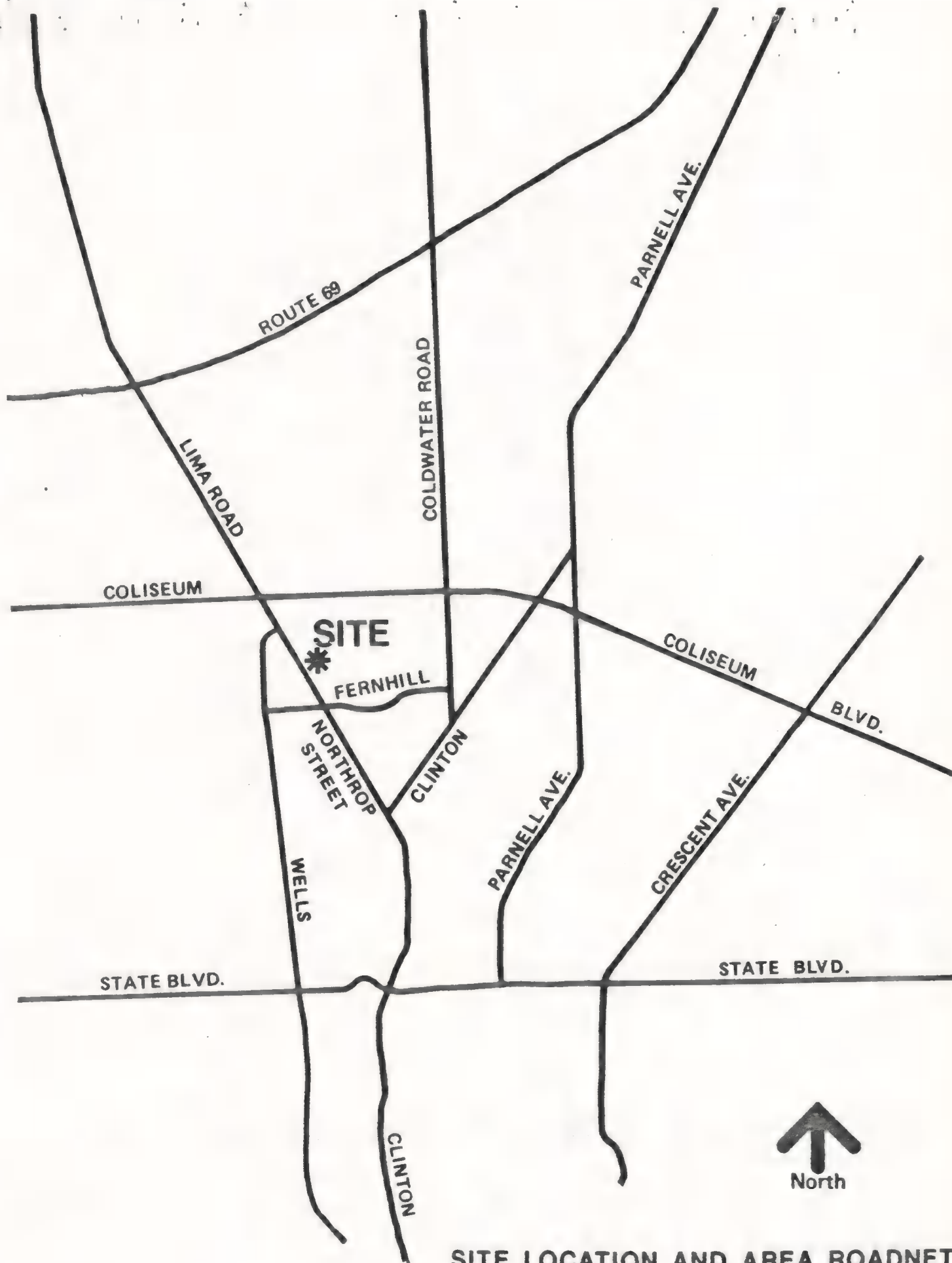
Fernhill Drive, an east-west, two-lane, undivided collector roadway, extends east from Wells Street to Coldwater Road.

Wells Street is a two-lane, north-south minor arterial providing right-turn access to Northrop Street just south of Coliseum Boulevard.

Mobile and Dusing Avenues are two-lane, north-south local streets. Dusing Avenue serves single-family homes and Mobile Avenue serves light industrial land-uses.

Existing Traffic

Traffic counts were conducted by Barton-Aschman on Northrop Street at its intersections with Coliseum Boulevard, Wells Street, and Fernhill Drive. Volumes at the intersections of Fernhill Drive and Wells Street also were counted. These counts took place on Thursday, February 12, 1987, and Friday, February 13, 1987. The counts indicated that the weekday peak hours of traffic occurred from 7:15 to 8:15 A.M. and 4:30 to 5:30 P.M.



SITE LOCATION AND AREA ROADNET

Figure 1

The existing traffic volumes, as counted, were increased by 10 percent to reflect additional activity by retail development in the area which would occur during the pre-Christmas period. The existing, adjusted peak-hour volumes are illustrated in Figure 2.

Directional Distribution

The directional distribution of site-generated trips is a function of several variables. These would include the distribution of employee and patron residences within the development's area of influence, the location of other retail centers which patrons also might visit during their shopping trip, and the ease with which drivers can travel over various sections of the roadway system without encountering congestion.

The shopping center will generate primarily patron vehicular traffic during the A.M. and P.M. rush hour to and from the site. These patrons will originate from or be destined to their place of residence or other nearby retail developments. The majority of these patron trips will originate from within a five-mile radius.

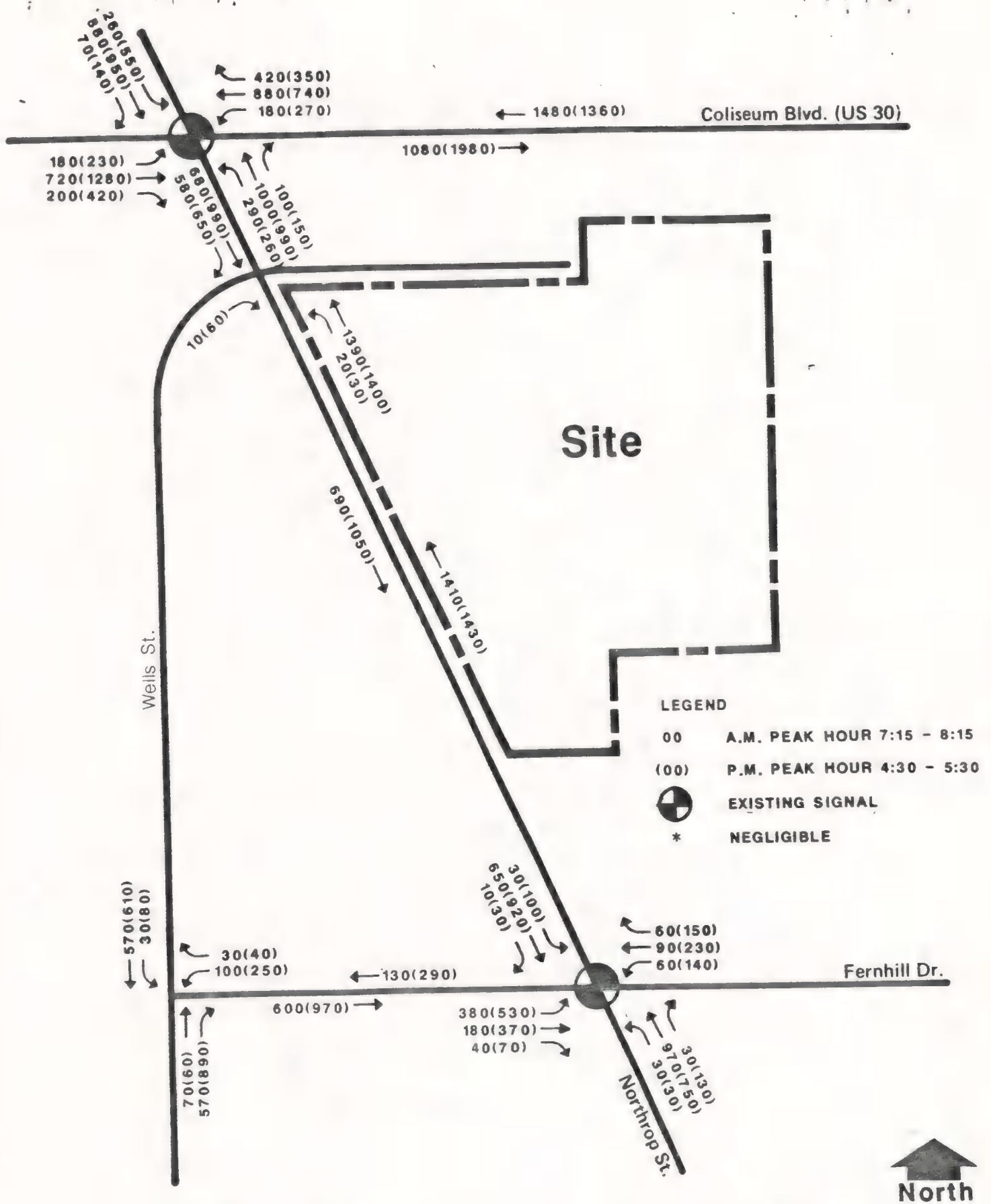
The directional distribution of shopping trips was based on population distribution data published by the U.S. Census Bureau and the location of other retail development in the area. This directional distribution did not include any traffic from the Glenbrook Mall because that traffic would not use the external street system. The estimated distribution of future site-generated traffic on the external street system is shown in Table 1 and illustrated in Figure 3.

Table 1
DIRECTIONAL DISTRIBUTION

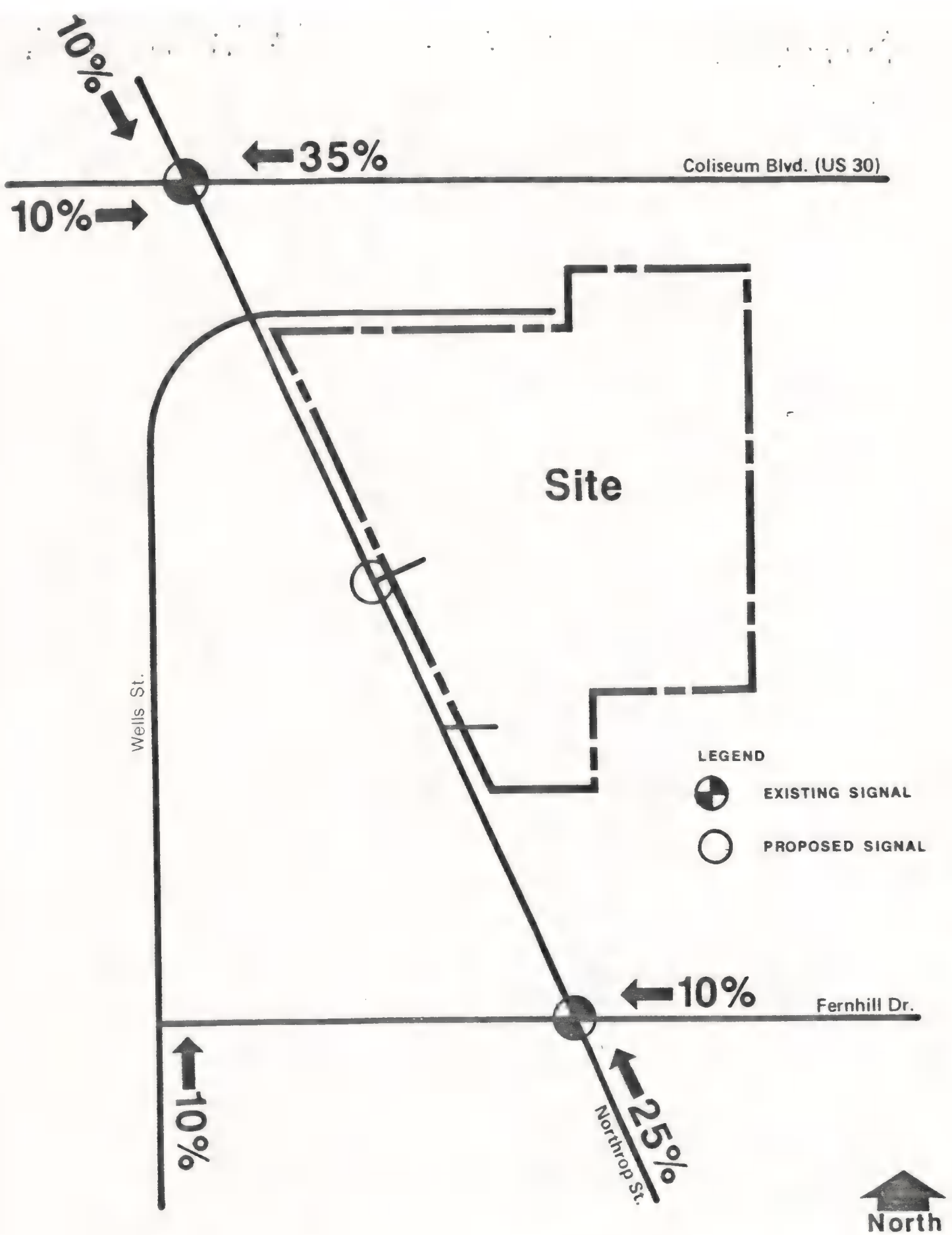
Route	Percent
To and From the East on Coliseum Boulevard (U.S. 30)	35%
To and From the West on Coliseum Boulevard (U.S. 30)	10
To and From the North on Northrop Street	10
To and From the South on Northrop Street	25
To and From the East on Fernhill Drive	10
To and From the South on Wells Street	10
Total:	100%

Site Traffic Generation

The traffic generation characteristics of any development are based on the magnitude and character of its land-use. The proposed development calls for 273,185 square feet of retail space. Traffic generated by the shopping center was estimated, based on data published by the Institute of Transportation Engineers (ITE) for similar developments. Previous studies have shown that additional gross leasable floor area added to an existing shopping center generates traffic at approximately 60 percent of the normal trip generation rate. Glenbrook Center Mall is located adjacent to the proposed development and will be interconnected to the Glenbrook Commons site by several internal roadways, and the site-generated volumes were reduced accordingly. The estimated site-generated volumes are shown in Table 2.



ADJUSTED EXISTING VOLUMES
Figure 2



DIRECTIONAL DISTRIBUTION
Figure 3

Table 2
SITE-GENERATED TRAFFIC VOLUMES

	A.M. Peak Hour		P.M. Peak Hour	
	Inbound	Outbound	Inbound	Outbound
Site-Generated Traffic Volumes	65	35	390	420
Traffic Generated from within Glenbrook Mall	45	20	260	280

It should be noted that these site-generated volumes represent vehicles actually entering or exiting the center. Surveys published in the ITE Journal have found that up to 25 percent of the trips to and from a shopping center during the peak hour are diverted from the adjacent roadways (i.e., trips already on the roadway). Also, there will be some interaction of traffic with the neighboring shopping centers (other than Glenbrook Center) that could further decrease the amount of site-generated traffic on the external roadway system. Since this phenomenon was not accounted for in the analyses that follow, it is likely that the traffic impacts will be overstated and, therefore, conservatively high.

Site Traffic Assignment

The directional distribution analysis of site traffic previously cited, along with the proposed site access configuration, was used as a basis for assigning development-generated traffic to the site access driveways and the external roadway system. Figure 4 illustrates this site traffic assignment. To simulate the projected peak-hour traffic conditions with the proposed development, the site traffic assigned was combined with existing peak-hour volumes.

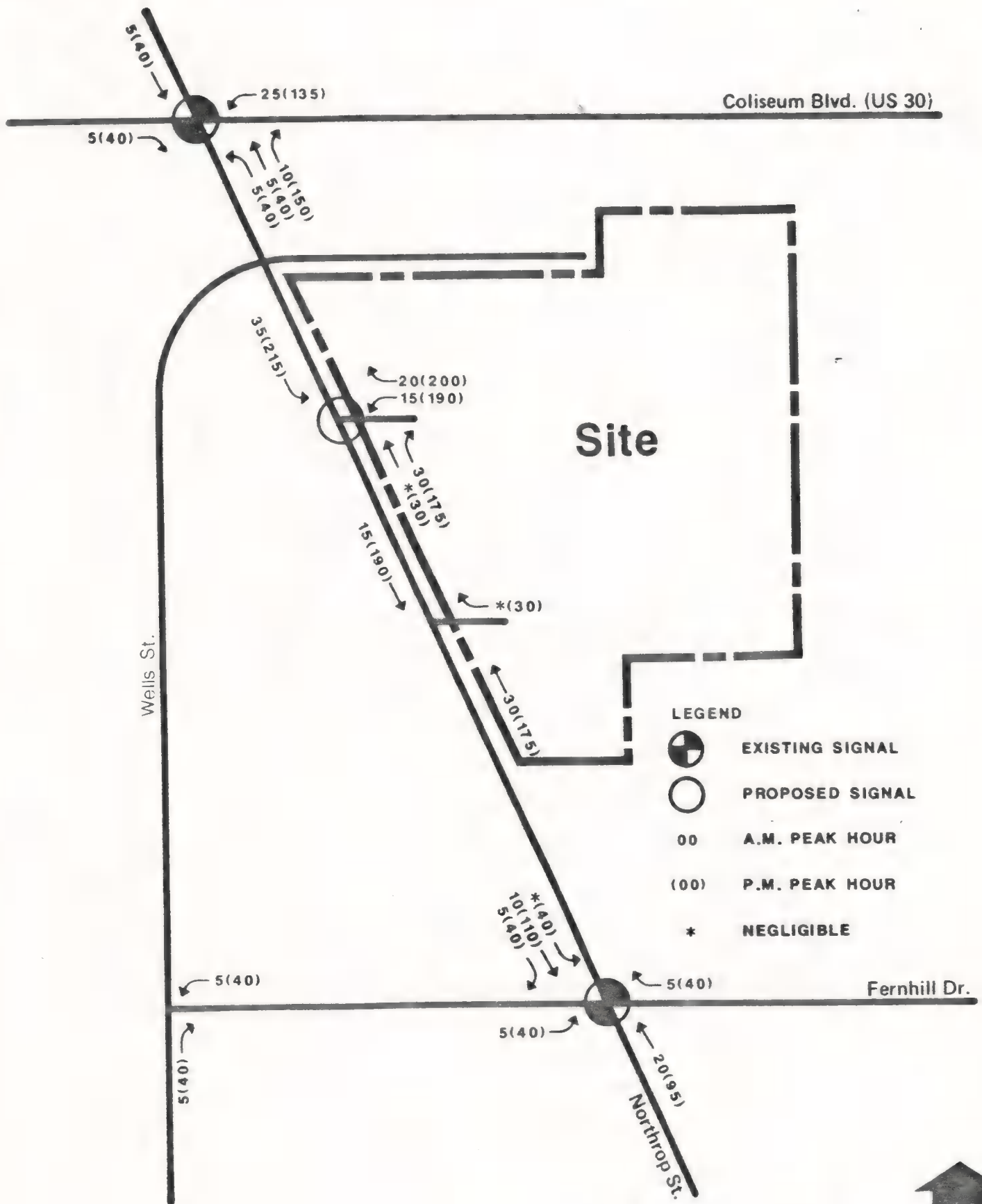
These combined peak-hour traffic volumes, illustrated in Figure 5, then were used in evaluating the adequacy of the proposed access system as well as determining any necessary improvements.

Evaluations and Recommendations

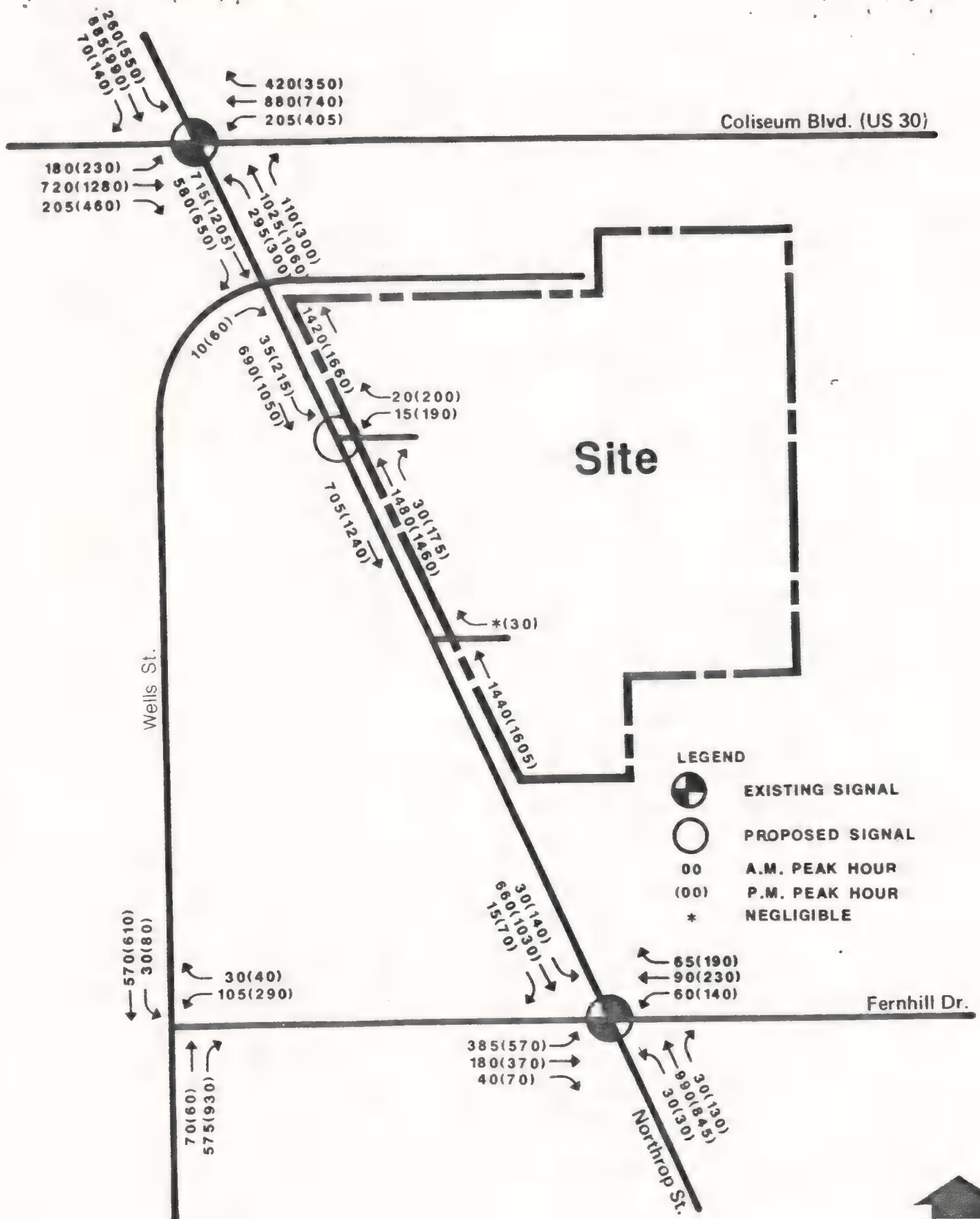
The site access facilities must fulfill the objectives of providing safe, convenient, and efficient interchange of traffic between the development and adjacent roadways. As such, these facilities should satisfy the following basic design criteria:

1. Each access point should be designed to provide adequate capacity as well as safe ingress and egress. In addition, the access points should be spaced far enough apart to minimize vehicular conflicts.
2. Site entrances and exits should be designed to allow adequate storage capacity and proper guidance of vehicles to and from the development.
3. The site access system should be easily understood by the average driver.

Maintenance of good traffic flow on adjacent roadways is also an important aspect of site access. Where the potential for excessive congestion occurs, roadway improvements may



SITE-GENERATED TRAFFIC VOLUMES
Figure 4



TOTAL TRAFFIC VOLUMES
Figure 5

be required to alleviate problems and minimize the effect of the proposed development. The traffic planning principles observed in the development of roadway improvement recommendations are:

1. The adjacent streets should be designed to accommodate peak-hour traffic volumes upon completion of the development.
2. The vehicular access system should be designed to provide efficient interchange of site traffic with the external roadway system and to minimize interference of site traffic with through traffic on the adjacent highways.

Existing Conditions

1. During the field observation, frequent U-turns occurred on Northrop Street in front of the site. This was southbound traffic making a U-turn onto northbound Northrop Street. This movement is prohibited at present. Some of this traffic turns into an existing driveway to make the U-turn. With the proposed signal for Glenbrook Commons and the barrier median to be discussed in more detail later, it is anticipated this movement will be minimized if not eliminated.
2. Based on discussions with the city traffic engineer, there is concern about traffic moving north on Northrop Street short-cutting through a service drive south of Coliseum Boulevard to avoid a right-turn at the Coliseum Boulevard signal to head east. Field observations made during the A.M. and P.M. peak hours indicated that almost all the vehicles turning at the service drive would stop at one of the commercial establishments to which the drive provides access. For example, a vehicle would turn right onto the service drive, stop at Wendy's or the bank, and make a right turn onto Coliseum Boulevard. No traffic problems were observed.

Site Access

1. Site access is to be provided by two drives on Northrop Street, one drive onto Fernhill Drive, one access point onto the service drive adjacent to the site's northern boundary, and two internal roadway links to the Glenbrook Center Mall.

One drive onto Northrop Street will consist of a signalized intersection with two inbound and two outbound lanes with a left-turn lane on Northrop Street and an additional northbound through lane. This intersection is located approximately 1,000 feet north of Fernhill Drive. The second Northrop Street access drive will allow a right-turn out only and is located approximately 480 feet south of the proposed signalized intersection. This drive also is the starting point of a third northbound lane along Northrop Street .

Two internal, two-lane roadways will provide access between Glenbrook Commons and Glenbrook Mall. In addition, two minor access drives are provided, one each on the north and south site boundaries.

2. A traffic signal warrant study conducted for the proposed signalized driveway indicates that a signal would be warranted at this location. (See Appendix.) This intersection would operate at Level of Service A during the A.M. peak hour and Level of Service B during the P.M. peak hour.

3. The access drive onto the northern service drive and the drive that serves as the northern end of Mobile Avenue would be used only by an occasional service vehicle. Traffic impacts at these two drives would be minimal.
4. With the interconnection of the two shopping centers, vehicles will travel between the two centers. Also, traffic destined to one center may use access drives of the other center. Based on the site plan, it can be expected that this interchanging traffic would be evenly balanced.

External Roadways

1. The distance between the stop line for the south approach left-turn lane on Northrop Street at Coliseum Boulevard and the stop line for the north approach left-turn lane on Northrop Street at the proposed signal is approximately 1,100 feet. This distance is critical in order to determine if there are any conflicts between vehicles using these back-to-back turn lanes. Field observations and capacity analyses indicate that the storage length required for the northbound left-turn lanes at Coliseum Boulevard is 600 feet, and for the southbound left-turn lane at the site driveway is 250 feet. This would provide a distance, 250 feet, adequate to provide the necessary tapers.
2. With the additional traffic on Northrop Street and the addition of a third northbound lane across the site frontage, it is recommended that the median opening opposite Wells Street be closed to prohibit the northbound left turn onto Wells Street. The existing turning volumes are low and their elimination would improve safety with minimal inconvenience.
3. The signals along Northrop Street at Coliseum Boulevard, the proposed access drive, and Fernhill Drive should be interconnected in a coordinated system to optimize operations and minimize vehicular delay. A shorter cycle length also may help minimize overall delay.
4. The development of this center would result in minimal changes in the traffic volumes along Mobile and Dusing Avenues. Dusing Avenue would not provide access to the site and, thus, there would be no additional traffic volumes. Mobile Avenue would provide access to the site, but, because of its location, it would only be used occasionally by service vehicles and provide access to an existing I & M substation.

Appendix
TRAFFIC SIGNAL WARRANT STUDY

Barton-Aschman Associates, Inc.

820 Davis Street Evanston, Illinois 60204

312-491-1000

MEMORANDUM TO: Lyle Shelor
Landau and Heyman, Inc.

FROM: Gerald Salzman
Stephen B. Corcoran
Barton-Aschman Associates, Inc.

DATE: March 4, 1987

SUBJECT: Traffic Signal Warrant Study
Proposed Signal, Fort Wayne, Indiana

Pursuant to your request, Barton-Aschman Associates, Inc., has completed a traffic signal warrant study for the access drive of your proposed development along Northrop Street in Fort Wayne, Indiana. The purpose of this study was to determine if a signal would be needed at this intersection and to ensure that the installation of a traffic signal would meet warrants set forth by the Manual on Uniform Control Devices for Streets and Highways.

The proposed retail development will contain 269,838 square feet of gross leasable area. It will be located on the east side of Northrop Street between Coliseum Boulevard and Fernhill Drive in Fort Wayne, Indiana. The proposed signal would be located approximately 1,020 feet north of Fernhill Drive.

Barton-Aschman conducted traffic counts and field observations from 12:00 noon on Thursday, February 12, 1987, until 12:00 noon on Friday, February 13, 1987. Based on the amount of retail space in the area and the time of year at which the counts were conducted, it is estimated that these volumes would represent an average day or are even below those of an average day.

To qualify for the installation of traffic signal control, one or more of the following warrants from the Manual on Uniform Traffic Control Devices for Streets and Highways must be met:

- Warrant 1--Minimum Vehicular Volume
- Warrant 2--Interruption of Continuous Traffic
- Warrant 3--Minimum Pedestrian Volume
- Warrant 4--School Crossings
- Warrant 5--Progressive Movement
- Warrant 6--Accident Experience
- Warrant 7--Systems
- Warrant 8--Combination of Warrants



Warrant 9--Four-Hour Volumes
 Warrant 10--Peak-Hour Delay
 Warrant 11--Peak-Hour Volumes

The requirements for each of the previously mentioned warrants follow (as stated in the Manual on Uniform Traffic Control Devices):

Warrant 1, Minimum Vehicular Volume

The Minimum Vehicular Volume warrant is intended for application where the volume of intersecting traffic is the principal reason for consideration of signal installation. The warrant is satisfied when, for each of any 8 hours of an average day, the traffic volumes given in the table below exist on the major street and on the higher-volume minor-street approach to the intersection. An "average" day is defined as a weekday representing traffic volumes normally and repeatedly found at the location.

MINIMUM VEHICULAR VOLUMES FOR WARRANT 1

Number of lanes for moving traffic on each approach		Vehicles per hour on major street (total of both approaches)	Vehicles per hour on minor street (one direction only)
Major Street	Minor street		
1.....	1.....	500	150
2 or more...	1.....	600	150
2 or more...	2 or more...	600	200
1.....	2 or more...	500	200

These major-street and minor-street volumes are for the same eight hours. During those eight hours, the direction of higher volume on the minor street may be on one approach during some hours and on the opposite approach during other hours.

When the 85-percentile speed of major-street traffic exceeds 40 mph in either an urban or a rural area, or when the intersection lies within the built-up area of an isolated community having a population of less than 10,000, the Minimum Vehicular Volume warrant is 70 percent of the requirements above.

Warrant 2, Interruption of Continuous Traffic

The Interruption of Continuous Traffic warrant applies to operating conditions where the traffic volume on a major street is so heavy that traffic on a minor intersecting street encounters excessive delay or hazard

in entering or crossing the major street. The warrant is satisfied when, for each of any eight hours of an average day, the traffic volumes given in the table below exist on the major street and on the higher-volume minor-street approach to the intersection, and the signal installation will not seriously disrupt progressive traffic flow.

MINIMUM VEHICULAR VOLUMES FOR WARRANT 2

Number of lanes for moving traffic on each approach		Vehicles per hour on major street (total of both approaches)	Vehicles per hour on higher volume minor-street approach (one direction only)
Major street	Minor street		
1.....	1.....	750	75
2 or more...	1.....	900	75
2 or more...	2 or more...	900	100
1.....	2 or more...	750	100

These major-street and minor-street volumes are for the same eight hours. During those eight hours, the direction of the higher volume on the minor street may be on one approach during some hours and on the opposite approach during other hours.

When the 85-percentile speed of major-street traffic exceeds 40 mph in either an urban or a rural area, or when the intersection lies within the built-up area of an isolated community having a population of less than 10,000, the Interruption of Continuous Traffic warrant is 70 percent of the requirements above.

Warrant 3, Minimum Pedestrian Volume

The Minimum Pedestrian Volume warrant is satisfied when, for each of any eight hours of an average day, the following traffic volumes exist:

1. On the major street, 600 or more vehicles per hour enter the intersection (total of both approaches); or where there is a raised median island four feet or more in width, 1,000 or more vehicles per hour (total of both approaches) enter the intersection on the major street.
2. During the same eight hours as in paragraph (1) there are 150 or more pedestrians on the highest-volume crosswalk crossing the major street.

When the 85-percentile speed of major-street traffic exceeds 40 mph in either an urban or a rural area, or when the intersection lies within the built-up area of an isolated community having a population of less than 10,000, the Minimum Pedestrian Volume warrant is 70 percent of the requirements above.

A signal installed under this warrant at an isolated intersection should be of the traffic-actuated type, with push buttons for pedestrians crossing the main street. If such a signal is installed at an intersection within a signal system, it should be equipped and operated with control devices which provide proper coordination.

Signals installed according to this warrant shall be equipped with pedestrian indications conforming to requirements set forth in other sections of the Manual.

Signals may be installed at non-intersection locations (midblock) provided the requirements of this warrant are met, and provided that the related crosswalk is not closer than 150 feet to another established crosswalk. Curbside parking should be prohibited for 100 feet in advance of and 20 feet beyond the crosswalk. Phasing, coordination, and installation must conform to standards set forth in the Manual on Uniform Traffic Control Devices. Special attention should be given to the signal head placement and the signs and markings used at non-intersection locations to be sure drivers are aware of this special application.

Warrant 4, School Crossing

A traffic control signal may be warranted at an established school crossing when a traffic engineering study of the frequency and adequacy of gaps in the vehicular traffic stream as related to the number and size of groups of school children at the school crossing shows that the number of adequate gaps in the traffic stream during the period when the children are using the crossing is less than the number of minutes in the same period.

When traffic control signals are installed entirely under this warrant:

1. Pedestrian indications shall be provided at least for each crosswalk established as a school crossing.
2. At an intersection, the signal normally should be traffic-actuated. As a minimum, it should be semi-traffic-actuated, but full actuation with detectors on all approaches may be desirable. Intersection installations that can be fitted into progressive signal systems may have pretimed control.

3. At nonintersection crossings, the signal should be pedestrian-actuated, parking and other obstructions to view should be prohibited for at least 100 feet in advance of and 20 feet beyond the crosswalk, and the installation should include suitable standard signs and pavement markings. Special police supervision and/or enforcement should be provided for a new nonintersection installation.

Warrant 5, Progressive Movement

Progressive movement control sometimes necessitates traffic signal installations at intersections where they would not otherwise be warranted, in order to maintain proper grouping of vehicles and effectively regulate group speed. The Progressive Movement warrant is satisfied when:

1. On a one-way street or a street which has predominantly unidirectional traffic, the adjacent signals are so far apart that they do not provide the necessary degree of vehicle platooning and speed control.
2. On a two-way street, adjacent signals do not provide the necessary degree of platooning and speed control and the proposed and adjacent signals could constitute a progressive signal system.

The installation of a signal according to this warrant should be based on the 85-percentile speed unless an engineering study indicates that another speed is more desirable.

The installation of a signal according to this warrant should not be considered where the resultant signal spacing would be less than 1,000 feet.

Warrant 6, Accident Experience

The Accident Experience Warrant is satisfied when:

1. Adequate trial of less restrictive remedies with satisfactory observance and enforcement has failed to reduce the accident frequency.
2. Five or more reported accidents, of types susceptible to correction by traffic signal control, have occurred within a 12-month period, each accident involving personal injury or property damage to an apparent extent of \$100 or more.
3. There exists a volume of vehicular and pedestrian traffic not less than 80 percent of the requirements specified either in the Minimum

Vehicular Volume Warrant, the Interruption of Continuous Traffic Warrant, or the Minimum Pedestrian Volume Warrant.

4. The signal installation will not seriously disrupt progressive traffic flow.

Any traffic signal installed solely on the Accident Experience Warrant should be semi-traffic-actuated (with control devices which provide proper coordination if installed at an intersection within a coordinated system) and normally should be fully traffic-actuated if installed at an isolated intersection.

Warrant 7, Systems Warrant

A traffic signal installation at some intersections may be warranted to encourage concentration and organization of traffic flow networks. The Systems Warrant is applicable when the common intersection of two or more major routes has a total existing, or immediately projected, entering volume of at least 800 vehicles during the peak hour of a typical weekday, or each of any five hours of a Saturday and/or Sunday.

A major route as used in the above warrant has one or more of the following characteristics:

1. It is part of the street or highway system that serves as the principal network for through traffic flow.
2. It connects areas of principal traffic generation.
3. It includes rural or suburban highways outside, entering, or traversing a city.
4. It has surface street freeway or expressway ramp terminals.
5. It appears as a major route on an official plan such as a major street plan in an urban area traffic and transportation study.

Warrant 8, Combination of Warrants

In exceptional cases, signals occasionally may be justified where no single warrant is satisfied but where two or more of Warrants 1, 2, and 3 are satisfied to the extent of 80 percent or more of the stated values.

Adequate trial of other remedial measures which cause less delay and inconvenience to traffic should precede installation of signals under this warrant.

Warrant 9, Four-Hour Volumes

The Four-Hour Volumes Warrant is satisfied when on each of any four hours of an average day the plotted points representing the vehicles per hour on the major street (total of both approaches) and the corresponding vehicles per hour on the higher volume minor-street approach (one direction only) all fall above the curve in Figure 1A for the existing combination of approach lanes.

When the 85-percentile speed of the major-street traffic exceeds 40 mph or when the intersection lies within a built-up area of an isolated community having a population of less than 10,000, the four-hour volume requirement is satisfied when the plotted points referred to fall above the curve in Figure 1B for the existing combination of approach lanes.

Warrant 10, Peak-Hour Delay

The Peak-hour Delay Warrant is intended for application where traffic conditions are such that for one hour of the day minor-street traffic encounters undue delay in entering or crossing the major street. The peak-hour delay warrant is satisfied when the conditions given below exist for one hour (any four consecutive 15-minute periods) of an average weekday.

The Peak-hour Delay Warrant is met when:

1. The total delay experienced by the traffic on one minor street approach (one direction only) controlled by a stop sign equals or exceeds four vehicle-hours for a one-lane approach and five vehicle-hours for a two-lane approach.
2. The volume on the same minor street approach (one direction only) equals or exceeds 100 vph for one moving lane of traffic or 150 vph for two moving lanes.
3. The total entering volumes serviced during the hour equals or exceeds 800 vph for intersections with four (or more) approaches or 650 vph for intersections with three approaches.

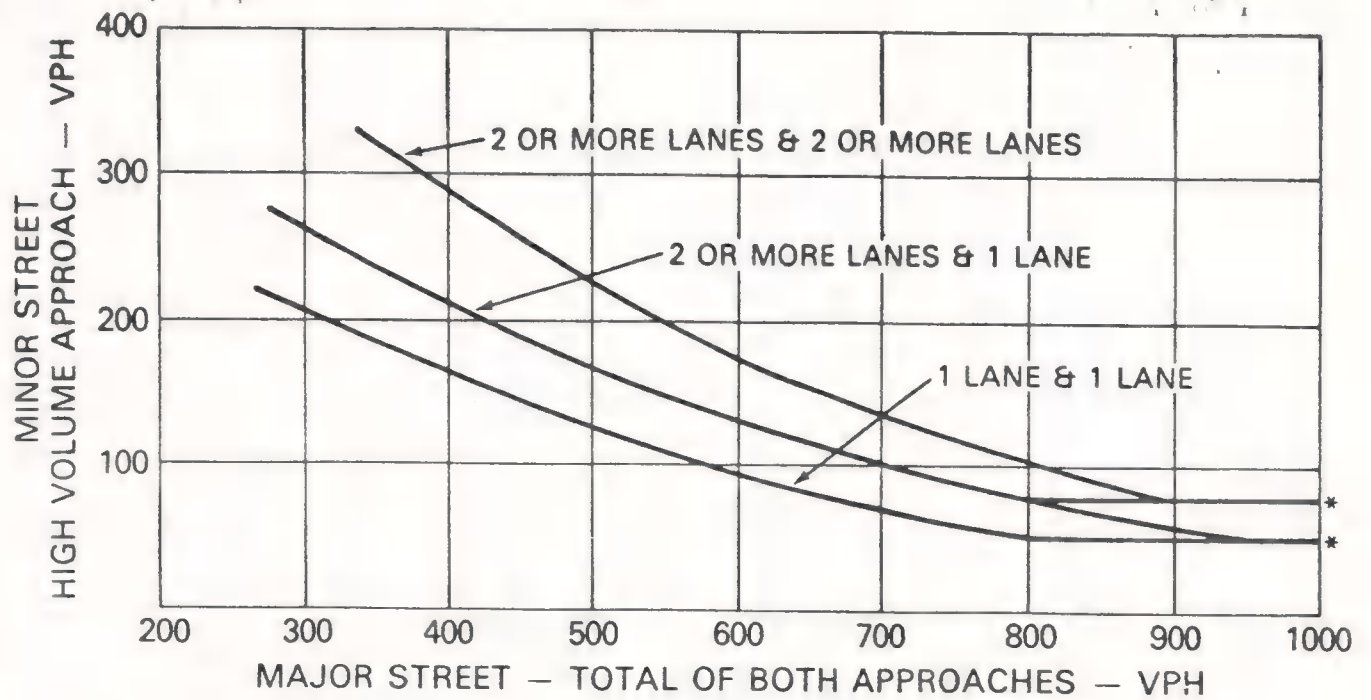


Figure 1B
FOUR-HOUR VOLUME WARRANT
(Community less than 10,000 population or above 40 MPH on major street)

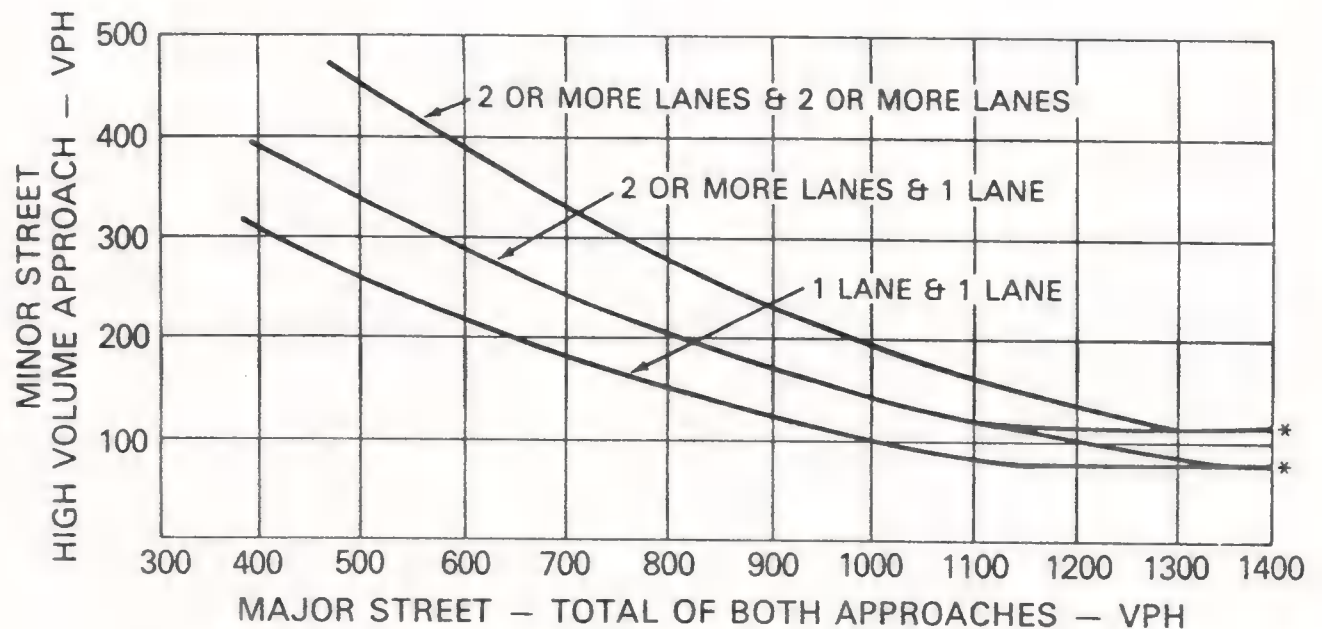


Figure 1A
FOUR-HOUR VOLUME WARRANT

Warrant 11, Peak-Hour Volume

The Peak-hour Volume Warrant is also intended for application when traffic conditions are such that, for one hour of the day, minor street traffic experiences undue traffic delay in entering or crossing the main street.

The Peak-hour Volume Warrant is satisfied when the plotted point representing the vehicles per hour on the major street (total of both approaches) and the corresponding vehicles per hour of the higher-volume minor-street approach (one direction only) for one hour (any four consecutive 15-minute periods) of an average day falls above the curve in Figure 2A for the existing combination of approach lanes.

When the 85-percentile speed of major street traffic exceeds 40 mph or when the intersection lies within a built-up area of an isolated community having a population of less than 10,000, the peak-hour volume requirement is satisfied when the plotted point referred to above falls above the curve in Figure 2B for the existing combination of approach lanes.

Analysis

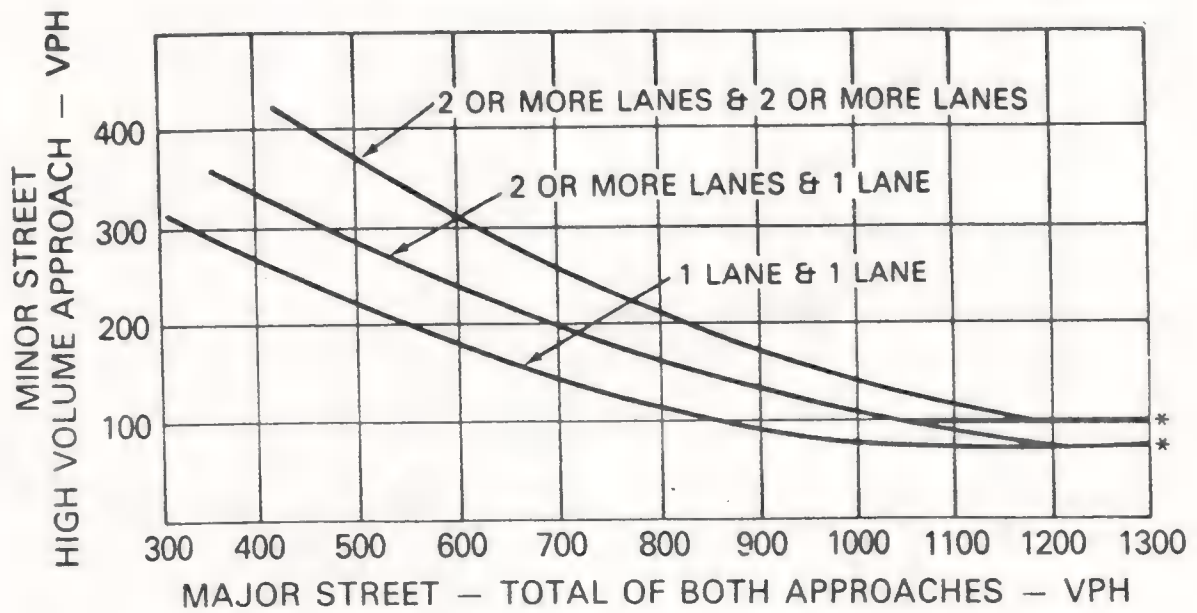
In general, traffic volumes, number of approach lanes, and 85-percentile operating speeds play a dominant role in the justification of a traffic signal under Warrants 1, 2, and 8 through 11. Pedestrian demands and pedestrian vehicular conflicts are dealt with in Warrants 3 and 4. Warrants 5, 6, and 7 deal with such special issues as vehicle platoon management, safety and systemwide traffic management. Our preliminary assessment of conditions at the intersection is that, if any, Warrants 1, 2, 9, and 11 are most likely to be met.

Traffic counts were conducted on Northrop Street approximately 350 feet north of the proposed access drive. These counts were conducted from 12:00 noon Thursday, February 12, 1987, until 12:00 noon Friday, February 13, 1987.

Northrop Street is currently a four-lane roadway. The proposed drive would have two inbound and two outbound lanes separated by a barrier median.

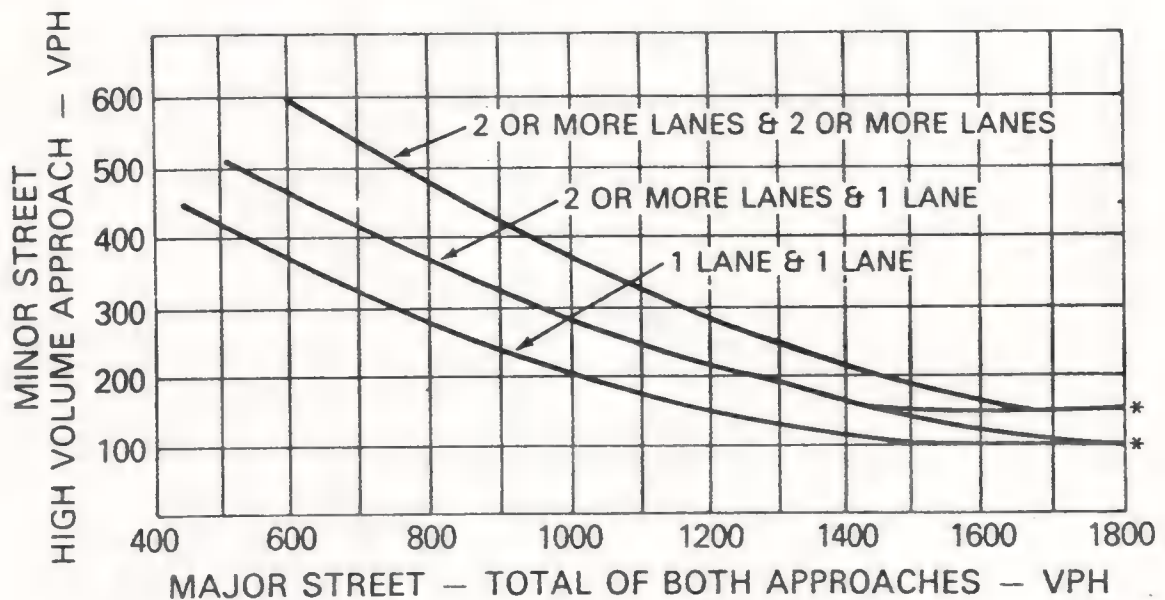
Traffic volumes for the proposed drive were estimated based on data from the Institute of Transportation Engineers (ITE) and surveys of similar land-uses conducted by Barton-Aschman.

Our analysis of existing and estimated counts indicates that four warrants are satisfied.



*NOTE: 100 VPH APPLIES AS THE LOWER THRESHOLD VOLUME FOR A MINOR STREET APPROACH WITH TWO OR MORE LANES AND 75 VPH APPLIES AS THE LOWER THRESHOLD VOLUME FOR A MINOR STREET APPROACHING WITH ONE LANE.

Figure 2B
PEAK-HOUR VOLUME WARRANT
(Community less than 10,000 population or above 40 MPH on major street)



*NOTE: 150 VPH APPLIES AS THE LOWER THRESHOLD VOLUME FOR A MINOR STREET APPROACH WITH TWO OR MORE LANES AND 100 VPH APPLIES AS THE LOWER THRESHOLD VOLUME FOR A MINOR STREET APPROACHING WITH ONE LANE.

Figure 2A
PEAK-HOUR VOLUME WARRANT

Table 1 provides a tabulation of the data for the major and minor street approaches in accordance with the requirements of Warrants 1, 2, 9, and 11. As indicated, Warrant 1 is satisfied for nine hours of a typical day, Warrant 2 is satisfied for 10 hours of the day, Warrant 9 is satisfied for 10 hours, and Warrant 11 is satisfied for nine hours.

As our analysis shows, projected traffic conditions at the study location meet criteria set forth for signal installations under four separate warrants. Therefore, we would recommend that discussions be initiated with the Indiana Department of Highways to obtain approval for the installation of a signal at this location.

Table 1
TRAFFIC VOLUMES

Begin Time	Major Street ⁽¹⁾ Existing Counts Northrup Street	Minor Street ⁽²⁾ Proposed Access Drive High Volume Approach
	Total Northbound and Southbound	
6:00 A.M.	1,270	20
7:00 A.M.	1,910	40
8:00 A.M.	1,440	80
9:00 A.M.	1,310 ^(3,4)	120 ^(3,4)
10:00 A.M.	1,440 ^(3,4,5,6)	210 ^(3,4,5,6)
11:00 A.M.	1,710 ^(3,4,5,6)	320 ^(3,4,5,6)
12:00 noon	1,800 ^(3,4,5,6)	370 ^(3,4,5,6)
1:00 P.M.	1,620 ^(3,4,5,6)	320 ^(3,4,5,6)
2:00 P.M.	1,780 ^(3,4,5,6)	370 ^(3,4,5,6)
3:00 P.M.	2,110 ^(3,4,5,6)	360 ^(3,4,5,6)
4:00 P.M.	2,280 ^(3,4,5,6)	350 ^(3,4,5,6)
5:00 P.M.	2,070 ^(3,4,5,6)	380 ^(3,4,5,6)
6:00 P.M.	1,350 ^(3,4,5,6)	300 ^(3,4,5,6)

(1) Based on existing traffic counts.

(2) Estimated based on Barton-Aschman survey.

(3) Meets Warrant 2.

(4) Meets Warrant 9.

(5) Meets Warrant 1.

(6) Meets Warrant 11.

RESOLUTION OF ZONING ORDINANCE AMENDMENT RECOMMENDATION

WHEREAS, the Common Council of the City of Fort Wayne, Indiana, on May 26, 1987 referred a proposed zoning map amendment to the City Plan Commission which proposed ordinance was designated as Bill No. Z-87-05-30; and,

WHEREAS, the required notice of public hearing on such proposed ordinance has been published as required by law; and,

WHEREAS, the City Plan Commission conducted a public hearing on such proposed ordinance on May 18, 1987.

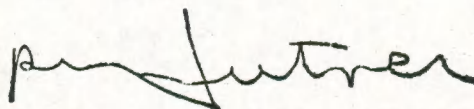
NOW THEREFORE, BE IT RESOLVED that the City Plan Commission does hereby recommend that this ordinance be returned to the Common Council with a DO PASS recommendation based on the Commission's following "Findings of Fact":

- (1) the grant will not be injurious to the public health, safety, morals, and general welfare of the community;
- (2) the use or value of the area adjacent to the property included in the rezoning will not be affected in a substantially adverse manner;
- (3) the need for the rezoning arises from some condition peculiar to the property involved and the condition is not due to the general conditions of the neighborhood;
- (4) the strict application of the terms of the zoning ordinance will constitute an unusual and unnecessary hardship if applied to the property for which the rezoning is sought; and,
- (5) the grant does not interfere substantially with the comprehensive plan adopted under the 500 series of the metropolitan development law.

BE IT FURTHER RESOLVED that the Secretary is hereby directed to present a copy of this resolution to the Common Council at its next regular meeting.

This is to certify that the above is a true and exact copy of a resolution adopted at the meeting of the Fort Wayne City Plan Commission held June 1, 1987.

Certified and signed this
15th day of June 1987.



Robert Hutner
Secretary

BILL NO. Z-87-05-30

REPORT OF THE COMMITTEE ON REGULATIONS

WE, YOUR COMMITTEE ON REGULATIONS TO WHOM WAS

REFERRED AN (ORDINANCE) (~~RESOLUTION~~) amending the City of Fort

Wayne Zoning Map No. M-26

HAVE HAD SAID (ORDINANCE) (~~RESOLUTION~~) UNDER CONSIDERATION AND BEG
LEAVE TO REPORT BACK TO THE COMMON COUNCIL THAT SAID (ORDINANCE)

(~~RESOLUTION~~) Do Pass

YES

NO

Janet G. Bradbury JANET G. BRADBURY
CHAIRPERSON

Charles B. Redd CHARLES B. REDD
VICE CHAIRMAN

Thomas C. Henry THOMAS C. HENRY

Paul M. Burns PAUL M. BURNS

Ben A. Eisbart BEN A. EISBART

CONCURRED IN 7-14-87

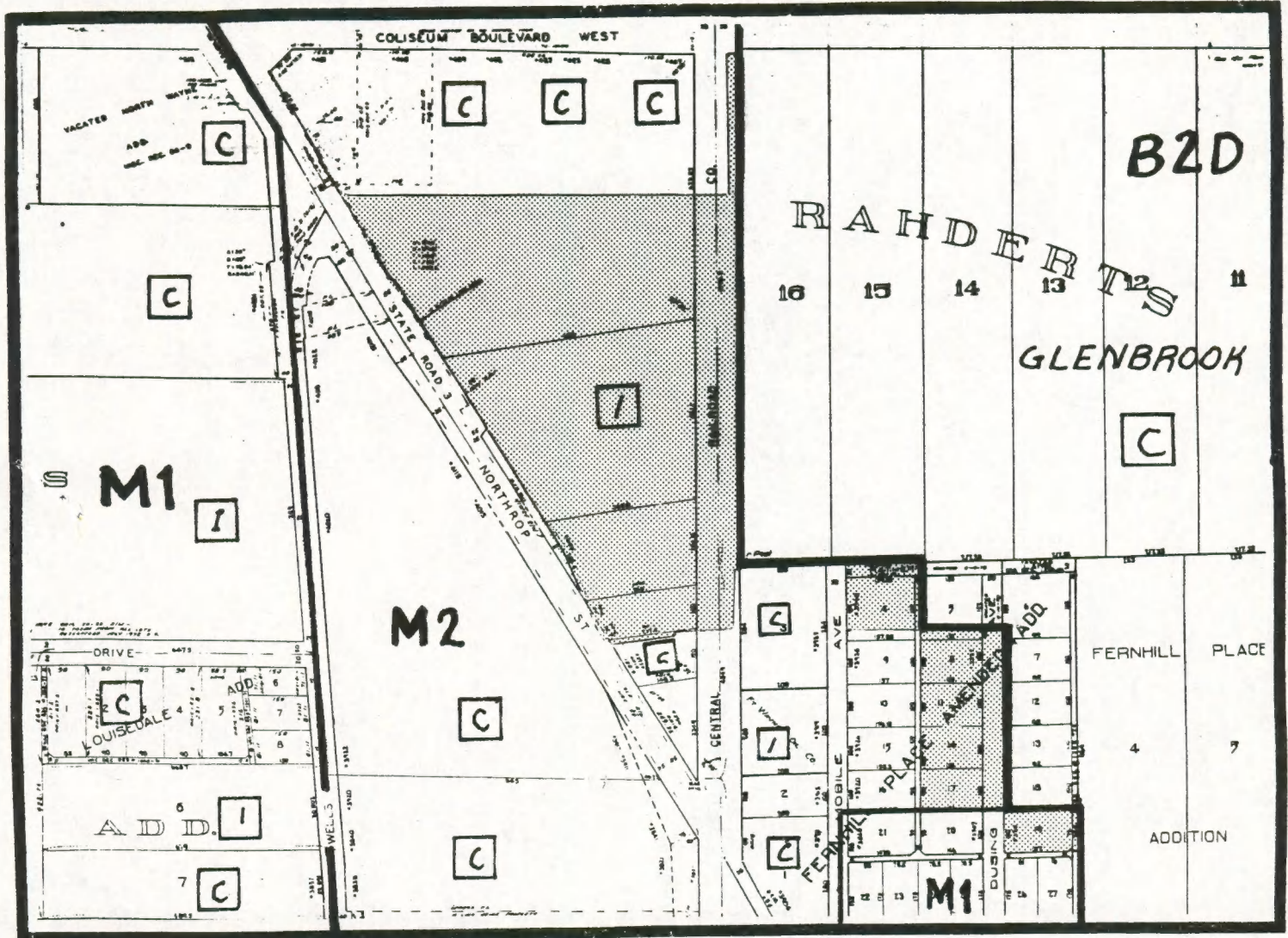
SANDRA E. KENNEDY
CITY CLERK

REZONING PETITION #272

A PETITION TO AMEND THE ZONING MAP BY RECLASSIFYING THE DESCRIBED PROPERTY FROM AN M-2 DISTRICT TO A B-2-D DISTRICT.

MAP NO. M-26

COUNCILMANIC DISTRICT NO. 3



ZONING:

LAND USE:

B2D REGIONAL SHOPPING CENTER
M1 LIGHT INDUSTRY
I2 GENERAL INDUSTRY

C COMMERCIAL
I INDUSTRIAL

SCALE: 1" = 400'

DATE: 4-28-87

